The Global Survivors Fund is an innovative collaboration between multiple stakeholders to help achieve an ambitious goal: providing survivors of conflict-related sexual violence access to reparations and other forms of redress.
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BACKGROUND

In a historic moment on December 10, 2018, Dr. Denis Mukwege and Ms. Nadia Murad received the Nobel Peace Prize for their efforts to fight sexual violence as a weapon of war. This award brought the topic of sexual violence in conflict to the forefront of the public conscience. As a surgeon, Dr. Mukwege has seen the unimaginable crimes committed against women and worked to repair their severely harmed bodies and souls. As an ISIS sexual slavery survivor, Ms. Murad knows first-hand the brutality and impact of sexual violence.

Dr. Mukwege and Ms. Murad hail from different parts of the world and their life experiences are vastly dissimilar, yet they share a common bond and vision for the future: – reparations and other forms of redress for victims of conflict-related sexual violence. In close collaboration and consultation with other public, private and civil society stakeholders, Dr. Mukwege and Ms. Murad are leading the initiative to establish The Global Fund for Survivors of Conflict-Related Sexual Violence (‘the Fund’ or ‘GSF’).

The initiative builds upon the advocacy of the Office of the United Nations Special Representative of the Secretary-General on Sexual Violence in Conflict (‘OSRSG-SVC’), the work of the Dr. Denis Mukwege Foundation, Nadia’s Initiative and the voices of survivors of conflict-related sexual violence worldwide.

Survivors from around the globe, united by SEMA – a Global Survivors Network - an initiative established and supported by the Mukwege Foundation - have stated unequivocally that reparations and other forms of redress must be a priority for the international community. Most survivors do not have access to formal justice mechanisms; thus, their access to reparations is severely limited. Out-of-court reparations and redress can provide a pathway for healing, acknowledgement and also condemnation. According to survivors, these types of redress are a formidable strategy for reintegrating into their communities and have a truly transformative impact.

By aiming to repair the harm caused by gross human rights violations, holistic redress is at the core of what survivor’s demand to restore a life of dignity, respect and equality. According to the SEMA network, reparative justice is crucial – it recognizes the harm inflicted on victims, provides financial or other material support to survivors so they can rebuild their lives, and can play a deterrent role for future crimes.

The Fund was endorsed by the UN Secretary-General in his statement to the Security Council on conflict-related sexual violence in April 2019 and language referencing the Fund was included in Security Council Resolution 2467. The G7 also recognized its support for the Fund in its August 2019 Declaration on Gender Equality and Women’s Empowerment.
Situational Analysis

Conflict-related sexual violence occurs with haunting frequency and is systematically used to destroy and terrorize not only individuals but entire communities. Perpetrators target civilians with grotesque violence that can involve gang rape, sexual slavery and other horrific acts. Survivors face a cascade of consequences, from permanent physical injuries, to long term debilitating trauma. These crimes, committed across entire communities, spread diseases, destroy family ties and inflict harm over generations. Their consequences are further exacerbated by poverty and stigma. Survivors live with the double burden of the violence and of being shunned by their communities.

Only a tiny minority of survivors of sexual violence worldwide ever receive reparations awarded by a formal justice mechanism. In addition to the sheer absence of a judicial infrastructure in many contexts, numerous hurdles prevent survivors from initiating proceedings, including widespread corruption, high legal fees, fear of reprisals and stigmatization. Moreover, survivors can rarely identify their perpetrators, as attacks often happen at night by armed militias, unknown to the community, or because individuals have been gang raped. Even in the rare cases where survivors have successfully brought proceedings against their attackers, and reparations were awarded by the courts, the procedures for obtain reparations is often transferred from the criminal to the civil courts, a time-consuming and expensive procedure that prevents most survivors from ever receiving compensation.

Access to reparations and other forms of redress for survivors of sexual violence has not been a high priority on the policy agenda at the international, national or local level. The lack of formal acknowledgement and justice contribute greatly to survivors being unable to reintegrate into society. Moreover, it has an extremely negative impact on communities’ ability to heal and prosper after wartime violence.

Response: Purpose and Mission

The Fund is an innovative, survivor-centric mechanism whose mission is to ensure survivors of conflict-related sexual violence have access to reparations and other forms of redress, globally, including where states or other parties responsible for the violence are unwilling or unable to providing reparations. The Fund addresses a gap long identified by survivors and is viewed as a complement to efforts to prevent sexual violence, obtain justice and seek holistic care.

The Fund will be a purpose driven partnership between multiple stakeholders who assume a shared responsibility to achieve transformative change for survivors of conflict-related sexual violence. Complex social problems require
collaboration and individual stakeholders operating alone cannot effectively create widespread systemic change.

The core principle of the Fund is its survivor-centric character. Placing the voices of survivors at the center will ensure programs are initiated locally and outcomes benefit the individuals and communities they are designed to serve. Driven by the bottom up rather than the top down, the approach will be rooted in the notion that community driven development creates long-term sustainable change. Collaboration, human capacity and dignity will be the cornerstones of every aspect of the work of the Fund.

The Fund will support states and civil society with financial support and technical assistance to establish programs for reparations and other forms of redress. Programs will be initiated at the local level to ensure they are survivor centric and contextualized for the local setting and address the specific needs of individual survivors or groups of survivors. Such programs may include material compensation, support for accessing healthcare or education, or symbolic acknowledgments. Pilot projects are being conducted with seed funding in the following states:

- Democratic Republic of Congo
- Guinea
- Iraq

Responsibility for Harm Committed
Contributors to the Fund will not be accepting responsibility for the sexual violence incurred but would instead be responding to the moral imperative to help survivors and recognize and give effect to their right to reparations under international law.

A broad understanding of reparations is key to a survivor-centric approach and meeting the needs of survivors. While a traditional interpretation and approach to reparations tends to focus on formal justice mechanisms, “reparations” and “redress” are broad notions. The most common form of reparations is monetary compensation for expenses such as medical and legal costs, the costs associated with having a child as a result of rape, and material damage. But reparations also include the restitution of the victims’ status through the guarantee of their human and citizenship rights. Reparations also provide for rehabilitation through a holistic care model comprising access to medical, psychological, legal and social services. Reparations can also take more symbolic forms, which are crucial for survivors, as they aim to bring satisfaction and guarantees of non-repetition.
The support provided by the **Fund** is not intended to release states or other groups from their own responsibility to provide reparations. Ideally states will be involved in all projects initiated by the **Fund**. The nature and extent of their financial contributions will vary, but they will be expected to show their commitment by taking other measures, such as establishing the necessary administrative frameworks for the implementation of programs or implementing legislative reform to improve access to reparations and preventing sexual violence in future.

**Our Approach**

Projects for consideration by the **Fund** must respond to needs resulting from conflict-related sexual violence. For the purposes of the Fund, “conflict-related sexual violence” is sexual violence that:

- occurs in situations of armed conflict and is directly linked to the armed conflict; or
- occurs in other situations in a widespread or systematic manner.

The **Fund**’s approach to reparations and other forms of redress is based on the recognition of the *right* of survivors of conflict-related sexual violence. This is recognised in the Basic Principles and Guidelines to a Remedy and Reparation for Victims of Gross Violations of International human Rights Law and Serious Violations of International Humanitarian Law adopted by the General Assembly in 2005.

**Key Functions of the Fund**

The **Fund** will not only be a mechanism to raise and allocate resources, it will also contribute to the development of programs, provide technical advice, collect and disseminate good practices, and advocate for duty-bearers to assume responsibility. Contributing to this range of activities, will lead to a paradigm shift away from a narrow understanding of the notion of “reparations” to recognizing and fulfilling the rights of survivors to reparations and a broad range of redress.

Support will take three principal forms:

- Allocating financial resources for programmes.
- Providing technical assistance.
- Advocacy to improve access to reparations and other forms of redress.
The precise modalities for the provision of support will be context-specific, but in all cases the Fund will ensure that its contribution is complementary to and mutually reinforcing with activities already taking place, does not adversely affect such activities, and is without prejudice to other initiatives - for example formal judicial reparations programs.

The Fund will also support initiatives in contexts where the state has not shown any willingness to engage on the question of reparations or other forms of redress. The involvement of the Fund may in fact spur the responsible authorities to take some measures. In these situations, the supported activities could be civil society-led “interim reparations” and include initiatives to provide compensation, acknowledge the harm suffered or advocacy or strategic litigation to establish reparations programs.

The precise nature of the supported activities will vary. In some contexts, there may be a pressing need for a more operational response in terms of provision of services. The Fund could support such initiatives provided they complement the activities already being conducted by other actors and include some additional elements of restorative value, such as an acknowledgement of the harm suffered.

**Examples of initiatives the Fund will support:**

- Financial or technical support to design national reparations programs that include financial compensation. This could take the form of a monthly pension as has been implemented in Kosovo, a one-off payment or payments for a specific timeframe.
- Projects ensuring free access to healthcare and other psychological services.
- Support to survivors for construction of homes and or to respond to other material needs, including but not limited to financial support to re-start their livelihoods. Support could also include small business training courses or other educational opportunities, including free access to education for their children.
- Construction of a school or health centre in a community named in honour of survivors. This type of initiative, which would be open to all children in the community, is a symbolic and collective form of redress.
- A monument or some other kind of memorial or museum or community centre where there has been mass rape in a community.

Consideration has been given to so called “perverse incentives”. While the Fund recognizes this is a potential concern including for donors, it must be noted that this arises in relation to all forms of assistance. The Fund will take
all feasible precautions, including by implementing a sophisticated monitoring, evaluation and screening system and implementing best practices. That said, it is the collective experience of survivors that “perverse incentives” are not a significant concern for programmes in this field: very few individuals are likely to falsely claim they have been subjected to sexual violence, with the consequent severe stigmatisation – despite what is often reported in the media. The Fund’s bottom up approach will also help to insulate programs from perverse incentives.

Governance and Organizational Structure

The Fund is an independent organization registered in Geneva, Switzerland, founded by Dr. Denis Mukwege and Ms. Nadia Murad. In addition to the Founders, board members will include one representative from their respective organizations, representatives of 4 government (seats will be given to 3 countries which provide multi-year commitments) 3 survivors of CRSV, 3 representatives of civil society and 2 private sector individual &/or organizations. Board seats will be rotating with three-year terms. However, Board members may be reappointed by a 2/3 vote of existing Board members.

At the core of the Fund’s governance is partnership – recognizing the importance of valuing each core constituency as an equal participant. The comparative strength of each partner will leverage the weight to secure financial and political support for the Fund and guide its activities.

Day to day operations will be managed by the Secretariat. The Board will be supported a UN Advisory Committee, comprised of representatives from various agencies and offices, including the office of the SRSG-CRSV. The Board will also be supported by a Technical Advisory Panel, comprised of subject matter and operational experts. Monitoring and Evaluation will be managed and conducted by an external entity appointed by the Board.
Accountability and oversight are the responsibility of the Board. The Board will play an active role in elaborating and monitoring ethical standards and support the development of a risk strategy designed to protect the reputation, financial, legal, operational and security of the Fund.

An annual progress and impact review will provide a comprehensive overview of the activities as well as the achievements and results measured against established objectives. An annual financial report will present audited financial statements. Accountability will be further enforced at the local level.
Financial Model and Sustainability

The Fund will seek to establish a permanent pool of capital to support programs to assist survivors of conflict-related sexual violence access reparations and other forms of redress. Using a financial strategy based on business principles, the Fund will seek to leverage every dollar committed to the Survivors’ Fund. The Fund aims to unleash US$ 50 - 100 m by 2022 for survivors of sexual violence.

During the G7 meeting in August 2019, French President Emmanuel Macron announced France’s support by committing 6 million Euros to the Fund. EU Council President Donald Tusk also expressed the EU’s support by pledging 2 million Euros. The French and German governments and two private foundations provided the Fund with seed financing totalling 400,000 Euros in 2019.

Monitoring, Evaluation & Learning

Programmatic monitoring will be conducted at all levels of the Fund to assess organizational effectiveness as well as programmatic achievements. With the support of the external Evaluation Body, the Fund will implement a rigorous evaluation system to track both qualitative and quantitative results, including but not limited to:

- developing a solid performance framework (objectives, targets, expected outcomes);
- conducting continuous oversight of the in-country programs to identify strengths and possible challenges and develop the necessary tools to mitigate risks; and
- obtaining quality data and conducting analysis which will be used for evaluating the impact of programmes

Rigorous data collection will not only inform decision-making about programs and funding but will also help to develop good practice to support policy development and advocacy for structural change.

The Fund is committed to learning and sharing information and best practices. Assessing what works and what does not, and contextualizing programs in a local context will be an essential part of its work. The Fund will build on the achievements and expertise of SEMA, a global survivors’ network in understanding the impact of reparations in their communities and how programs can be strengthened and tailored for local delivery. Shared learning – survivor to survivor – will yield productive outcomes.